

REMARKS

The Office Action dated February 25, 2009 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-25 are now pending in this application. Claims 1-25 stand rejected.

The rejection of Claims 1-3, 5-14, 16-20, and 22-25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 7,257,585 to Stevenson, et al. (hereinafter referred to as "Stevenson") in view of U.S. Patent Publication No. 2002/0188603 to Baird, et al. (hereinafter referred to as "Baird") and further in view of U.S. Patent 6,098,065 to Skillen, et al. (hereinafter referred to as "Skillen") is respectfully traversed.

Initially, Applicant submits that no combination of Stevenson, Baird, and Skillen describes or suggests the claimed invention. At least one of the differences between Stevenson, Baird, and Skillen and the claimed invention is that no combination of Stevenson, Baird, and Skillen describes or suggests displaying a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site*, and wherein the item is associated with the selected object. (Emphasis added.)

Notably, none of Stevenson, Baird, and Skillen describes or suggests a purchasing function that enables a user to select on object and then apply the purchasing function to the selected object to initiate a purchase of an item that is associated with the selected object using a vendor web site that is linked to the purchasing function.

Stevenson describes a system for augmenting data from a source data file (30) with data from a reference database (39), thereby generating an augmented data file (50). The source data file (30) resides on a server on a network (33). A handler (36) retrieves the source data file (30) for use by the system. A locator (42) examines the retrieved source data file (30) for comparison to the reference database (39) according to an analyzing strategy. The locator (42) compares structured data from the source data file (30) and reference data

from the reference database (39), and provides the reference data to an analyzer (45). The analyzer (45) creates associations between each compared structured datum and a uniform resource locator (URL) address within each corresponding reference datum found by the locator (42). A generator (48) then embeds each URL address in the source data file (30), resulting in the augmented data file (50). Notably, Stevenson does not describe nor suggest displaying a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site*, and wherein the item is associated with the selected object.

Baird describes a method for automating a search over the Internet. A user selects (100) data such as a text string from within an application. The selected data is used by a search engine to perform (104) an Internet search, without requiring the user to leave the application. When the search is complete, the search results are returned (106) to the user within the application. The user may also choose a particular search engine to use as a default search engine. Notably, Baird does not describe nor suggest displaying a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site*, and wherein the item is associated with the selected object.

Skillen describes an advertising machine (10) that is connected to a data processing device (12) through a communications link (14). The advertising machine (10) includes a database search engine (16), an associative search engine (18) and a database (20) that includes contextual data (22) and product data (24). Based on a search string received by the advertising machine (10) from the data processing device (12), the database search engine (10) searches through the contextual data (22) in the database (20) and returns the results of the search to the data processing device (12) for display to an end user. The database search engine (16) then passes the search argument and results to the associative search engine (18). The associative search engine (18) uses rule-based software algorithms and/or fuzzy logic to search for a match of a particular product within the product data (24). The results of the

search by the associative search engine (18) are then returned to the data processing device (12) for display to the end user in the form of an advertisement. Skillen also discloses that the advertising machine (10) is a distinct, self-contained unit within an Internet access provider equipment site (32). Notably, Skillen does not describe nor suggest displaying a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site*, and wherein the item is associated with the selected object.

Claim 1 recites a method for retrieving information using a server system coupled to a centralized database and at least one client system. The method includes “selecting an object from an electronic document displayed on a client system . . . displaying a function menu on the client system to prompt a user to select a desired function to apply to the selected object, the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site, the item associated with the selected object . . . transmitting the selected object and the selected function from the client system to the server system . . . processing the selected object by applying the selected function to the selected object at the server system to produce a processed object . . . transmitting the processed object from the server system to a remote vendor web server, the remote vendor web server hosting the vendor web site . . . receiving a result from the vendor web server at the server system, the result generated by the vendor web server based on the processed object and including at least a resulting web page . . . determining whether further processing of the result is necessary to complete the selected function . . . and transmitting at least one of the result and another output to the client system.”

None of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests a method for retrieving information, as recited in Claim 1. More specifically, none of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests displaying a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function*

associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site, and wherein the item is associated with the selected object. Rather, Stevenson describes comparing the contents of a source data file to the contents of a reference database and generating an augmented data file that includes the source data file and data from the reference database; Baird describes selecting search terms, initiating a search action, passing the requested search into a search engine, and returning the results of the search to the user; and Skillen describes relating search arguments to product data stored in a product database.

Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Stevenson in view of Baird and further in view of Skillen.

Claims 2, 3, and 5-9 depend from independent Claim 1. When the recitations of Claims 2, 3, and 5-9 are considered in combination with the recitations of Claim 1, Applicant submits that dependent Claims 2, 3, and 5-9 likewise are patentable over Stevenson in view of Baird and further in view of Skillen.

Claim 10 recites a network based system for retrieving information, wherein the system includes a client system including a user interface and a browser, a centralized database for storing information, and a server system configured to be coupled to the client system and the database. The server system is further configured to “enable a user to select an object from an electronic document displayed on said user interface . . . display a function menu on said user interface to prompt a user to select a desired function to apply to the selected object, the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site, the item associated with the selected object . . . receive the selected object and the selected function from said client system . . . process the selected object by applying the selected function to the selected object to produce a processed object . . . transmit the processed object from said server system to a vendor web server in connection therewith, the vendor web server hosting the vendor web site . . . receive a result from the vendor web server at said server system, the result generated by the vendor web server based on the processed object and including at least a resulting web page . . . determine whether further

processing of the result is necessary to complete the selected function . . . and transmit at least one of the result and another output to said client system.”

None of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests a networked-based system for retrieving information, as recited in Claim 10. More specifically, none of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests a server system that is coupled to a client system and a database, wherein the server system is configured to display a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site*, and wherein the item is associated with the selected object. Rather, Stevenson describes comparing the contents of a source data file to the contents of a reference database and generating an augmented data file that includes the source data file and data from the reference database; Baird describes selecting search terms, initiating a search action, passing the requested search into a search engine, and returning the results of the search to the user; and Skillen describes relating search arguments to product data stored in a product database.

Accordingly, for at least the reasons set forth above, Claim 10 is submitted to be patentable over Stevenson in view of Baird and further in view of Skillen.

Claims 11-14 and 16-18 depend from independent Claim 10. When the recitations of Claims 11-14 and 16-18 are considered in combination with the recitations of Claim 10, Applicant submits that dependent Claims 11-14 and 16-18 likewise are patentable over Stevenson in view of Baird and further in view of Skillen.

Claim 19 recites a computer program embodied on a computer readable medium for retrieving information using a server system coupled to a client system, a database, and a remote vendor web server, wherein the client system includes a user interface. The program includes a code segment that prompts a user to select an object from an electronic document displayed on the user interface and then “displays a function menu on the user interface to prompt the user to select a desired function to apply to the selected object, the selected

function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site, the item associated with the selected object . . . transmits the selected object and the selected function from the client system to the server system . . . processes the selected object by applying the selected function to the selected object at the server system to produce a processed object . . . transmits the processed object from the server system to the vendor web server, the vendor web server hosting the vendor web site . . . receives a result from the vendor web server at the server system, the result generated by the vendor web server based on the processed object and including at least a resulting web page . . . determines whether further processing of the result is necessary to complete the selected function . . . and transmits at least one of the result and another output to the client system.”

None of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests a computer program for retrieving information using a server system coupled to a client system, a database, and a remote vendor web server, as recited in Claim 19. More specifically, none of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests a code segment of the computer program that displays a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site*, and wherein the item is associated with the selected object. Rather, Stevenson describes comparing the contents of a source data file to the contents of a reference database and generating an augmented data file that includes the source data file and data from the reference database; Baird describes selecting search terms, initiating a search action, passing the requested search into a search engine, and returning the results of the search to the user; and Skillen describes relating search arguments to product data stored in a product database.

Accordingly, for at least the reasons set forth above, Claim 19 is submitted to be patentable over Stevenson in view of Baird and further in view of Skillen.

Claims 20 and 22-25 depend from independent Claim 19. When the recitations of Claims 20 and 22-25 are considered in combination with the recitations of Claim 19,

Applicant submits that dependent Claims 20 and 22-25 likewise are patentable over Stevenson in view of Baird and further in view of Skillen.

For the reasons set forth above, Applicant respectfully requests that the Section 103 rejection of Claims 1-3, 5-14, 16-20, and 22-25 be withdrawn.

The rejection of Claims 4, 15, and 21 under 35 U.S.C. § 103(a) as being unpatentable over Stevenson in view of Baird in view of Skillen and further in view of U.S. Patent 6,735,347 to Bates, et al. (hereinafter referred to as “Bates”) is respectfully traversed.

Stevenson, Baird, and Skillen are described above. Bates describes a method and system (200) for copying images from a source document to a destination document in a computer user interface (300). A user is given the option to cut or copy information from an image within the source document and to extract the textual information from the cut or copied image, enabling the extracted text to be pasted into the destination document as text. The textual information is extracted from the cut or copied image using optical character recognition (OCR) techniques. When instructed by the user, the user interface (300) copies the image, uses OCR to locate textual information within the image, and then pastes the located textual information into the destination document. Notably, Bates does not describe or suggest displaying a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site*, and wherein the item is associated with the selected object.

Claim 4 depends from independent Claim 1, which is recited above.

As discussed above, none of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests a method for retrieving information, as recited in Claim 1. More specifically, none of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests displaying a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a*

purchase of an item using the vendor web site, and wherein the item is associated with the selected object. Applicant respectfully submits that Bates does not make up for the deficiencies of Stevenson, Baird, and Skillen. Rather, Stevenson describes comparing the contents of a source data file to the contents of a reference database and generating an augmented data file that includes the source data file and data from the reference database; Baird describes selecting search terms, initiating a search action, passing the requested search into a search engine, and returning the results of the search to the user; Skillen describes relating search arguments to product data stored in a product database; and Bates merely describes a copying images between documents in a computer user interface.

Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Stevenson in view of Baird in view of Skillen and further in view of Bates.

When the recitations of Claim 4 are considered in combination with the recitations of Claim 1, Applicant submits that dependent Claim 4 likewise is patentable over Stevenson in view of Baird in view of Skillen and further in view of Bates.

Claim 15 depends from independent Claim 10, which is recited above.

As discussed above, none of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests a networked-based system for retrieving information, as recited in Claim 10. More specifically, none of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests a server system that is coupled to a client system and a database, wherein the server system is configured to display a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site*, and wherein the item is associated with the selected object. Applicant respectfully submits that Bates does not make up for the deficiencies of Stevenson, Baird, and Skillen. Rather, Stevenson describes comparing the contents of a source data file to the contents of a reference database and generating an augmented data file that includes the source data file and data from the reference database; Baird describes selecting search terms, initiating a

search action, passing the requested search into a search engine, and returning the results of the search to the user; Skillen describes relating search arguments to product data stored in a product database; and Bates merely describes copying images between documents in a computer user interface.

Accordingly, for at least the reasons set forth above, Claim 10 is submitted to be patentable over Stevenson in view of Baird in view of Skillen and further in view of Bates.

When the recitations of Claim 15 are considered in combination with the recitations of Claim 10, Applicant submits that dependent Claim 15 likewise is patentable over Stevenson in view of Baird in view of Skillen and further in view of Bates.

Claim 21 depends from independent Claim 19, which is recited above.

As discussed above, none of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests a computer program for retrieving information using a server system coupled to a client system, a database, and a remote vendor web server, as recited in Claim 19. More specifically, none of Stevenson, Baird, and Skillen, considered alone or in combination, describes or suggests a code segment of the computer program that displays a function menu on a client system to prompt a user to select a desired function to apply to the selected object, *the selected function including a purchasing function associated with a vendor web site wherein the purchasing function initiates a purchase of an item using the vendor web site*, and wherein the item is associated with the selected object. Applicant respectfully submits that Bates does not make up for the deficiencies of Stevenson, Baird, and Skillen. Rather, Stevenson describes comparing the contents of a source data file to the contents of a reference database and generating an augmented data file that includes the source data file and data from the reference database; Baird describes selecting search terms, initiating a search action, passing the requested search into a search engine, and returning the results of the search to the user; Skillen describes relating search arguments to product data stored in a product database; and Bates merely describes copying images between documents in a computer user interface.

Accordingly, for at least the reasons set forth above, Claim 19 is submitted to be patentable over Stevenson in view of Baird in view of Skillen and further in view of Bates.

When the recitations of Claim 21 are considered in combination with the recitations of Claim 19, Applicant submits that dependent Claim 1 likewise is patentable over Stevenson in view of Baird in view of Skillen and further in view of Bates.


For the reasons set forth above, Applicant respectfully requests that the Section 103 rejection of Claims 4, 15, and 21 be withdrawn.

Additionally, with respect to Claims 1-3, 5-14, 16-20, and 22-25, as is well established, it is impermissible to use the claimed invention as an instruction manual or “template” to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. It appears that the present rejection reflects an impermissible attempt to use the instant claims as a guide or roadmap in formulating the rejection using impermissible hindsight reconstruction of the invention.

The United States Supreme Court has recently expressed concern regarding distortion caused by hindsight bias in an obvious analysis, and notes that fact finders should be cautious of arguments reliant upon ex post reasoning. See KSR International Co. v. Teleflex, Inc., 127 S. Ct. 1727, 82 USPQ2d at 1397. Following the Supreme Court’s guidance with respect to impermissible hindsight, a person of ordinary skill in the art having common sense at the time of the invention would not have reasonably looked to the combination of Stevenson, Baird, Skillen, and/or Bates to solve the problem associated with displaying a function menu on the client system to prompt a user to select a desired function to apply to the selected object. Rather, such a suggestion is disclosed only in the present application.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel M. Fitzgerald", is written over a horizontal line.

Daniel M. Fitzgerald
Registration No. 38,880
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070